

Docket No. 250893US0CONT

IN RE APPLICATION OF: Giovanni CAPONETTI, et al.

SERIAL NO: 10/806,240

FILED: March 23, 2004

FOR: POWDER PARTICLES WITH SMOOTH SURFACE FOR USE IN INHALATION THERAPY



file

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is a Supplemental Preliminary Amendment, in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Notice to File Corrected Application Papers (return copy)
Letter to Commissioner
Substitute Specification (33 pp)
Letter Submitting Replacement Drawing Sheet(s)
Replacement Drawing Sheets (6 pp.)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	12	MINUS	20	0	x \$18 =	\$0.00
INDEPENDENT	1	MINUS	3	0	x \$86 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$290 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of \$0.00 is attached.
- ☐ Credit card payment form is attached to cover the fees in the amount of \$0.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter

Registration No. 32,884

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,240	03/23/2004	Giovanni Caponetti	250893US0CONT

CONFIRMATION NO. 1764

FORMALITIES LETTER



OC000000012876956

22850
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

Date Mailed: 06/04/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 13 are not in compliance with 37 CFR 1.52(a).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) all.
- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents



P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

MPB one
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKET NO: 250893US0CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
GIOVANNI CAPONETTI, ET AL. :
SERIAL NO: 10/806,240 :
FILED: MARCH 23, 2004 : GROUP ART UNIT: 1615
FOR: POWDER PARTICLES WITH :
SMOOTH SURFACE FOR USE IN
INHALATION THERAPY

LETTER TO COMMISSIONER; RESPONSE TO NOTICE TO FILE CORRECTED

APPLICATION PAPERS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice to File Corrected Application Papers dated June 4, 2004, Applicants are submitting herewith a Substitute Specification, Replacement Drawings, and a Supplemental Preliminary Amendment to add an Abstract. It should be noted that the Substitute Specification is the same as the original specification filed on March 23, 2004, with the exception that page 13 has been retyped. The Substitute Specification does not reflect the changes made by the Preliminary Amendment filed on March 23, 2004, or the Supplemental Preliminary Amendment filed herewith.

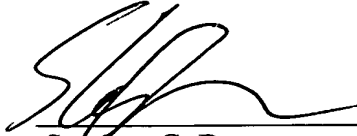
Application No. 10/806,240

Reply to Notice to File Corrected Application Papers of June 4, 2004

Applicants submit that the application is now ready for examination on the merits, and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Stephen G. Baxter
Attorney of Record
Registration No. 32,884

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

Docket No.: 250893US0CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Giovanni CAPONETTI, et al.

SERIAL NO.: 10/806,240

GAU: 1615

FILED: March 23, 2004

FOR: POWDER PARTICLES WITH SMOOTH SURFACE FOR USE IN INHALATION THERAPY

LETTER SUBMITTING REPLACEMENT DRAWING SHEET(S)

COMMISSIONER FOR PATENTS
Alexandria, VA 22313

SIR:

Responsive to the below indicated communication, the following drawing sheets are submitted herewith:

- ☒ 6 Replacement Drawing Sheets ☐ _____ New Drawing Sheets
- ☐ Official Action dated _____
- ☐ Notice of Allowance/Issue Fee dated _____
- ☒ Other Notice to File Corrected Application Papers dated June 4, 2004

The changes and/or modifications made include the following:

All replacement drawings submitted herewith have been re-labeled and are on strong, white, non-shiny paper as requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Stephen G. Baxter

Registration No. 32,884

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/2003)